

REMARKS/ARGUMENTS

Prior to entry of this amendment, claims 1-7 and 9-25 were pending in this application. Claims 1, 9, and 17 have been amended, claims 26 and 27 have been added, and claims 6, 15, and 23 have been canceled herein. Therefore, claims 1-5, 7, 9-14, 16-22, 24, and 25-27 are now pending. The Applicants respectfully request reconsideration of these claims for at least the reasons presented below.

35 U.S.C. § 112 Rejection, Indefinite

The Office Action has rejected claims 6, 15, and 23 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Office Action rejects claims 6, 15, and 23 alleging that each claim includes a limitation of analyzing web page content for compliance with Federal law, further stating that this limitation is indefinite. Claims 6, 15, and 23 have been canceled herein, thereby rendering the rejection moot. Therefore, the Applicants respectfully request withdrawal of the rejection.

35 U.S.C. § 103 Rejection, Dutta in view of Malcolm

The Office Action has rejected claims 1-5, 7, 9-14, 16-22, and 24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2002/0103914 of Dutta et al. (hereinafter “Dutta”) in view of U.S. Patent Pub. No. 2008/0172717 of Malcolm (hereinafter “Malcolm”). The Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims, as amended. Therefore, the Applicants request reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, all claimed limitations must first be taught or suggested by the prior art. *See, e.g., DyStar Textilfarben GmbH & Co.*

Deutschland KG v. C.H. Patrick Co., 464 F.3d 1356, 1360 (Fed. Cir. 2006). The Office Action must then provide an explicit analysis supporting the rejection. See *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) (“a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art”). While the Office Action can use one of several exemplary rationales from the MPEP to support an obviousness rejection under *KSR*, all the rationales still require the Office Action to demonstrate that all the claim elements are shown in the prior art. See MPEP §2143. As will be discussed below, the references cited by the Office Action do not teach or suggest each claimed limitation.

As noted previously, Dutta is directed to “filtering content based on the accessibility of the content to a user.” (paragraph 6) However, as noted by the final Office Action, Dutta does not teach or suggest “wherein said content is secure content, processing the web page prior to encryption of said content and analyzing the content of the web page prior to encryption of said secure content.” (final Office Action, page 3) Furthermore, Dutta does not teach or suggest a development process or environment, i.e., a development tool or a receiving a request for a web page from the development tool and performing filtering and analysis based on that request as recited in each independent claim. Rather, to any extent Dutta filters and/or analyzes content, such is performed in response to a request from the client.

Under Malcom “an information management system is described comprising one or more workstations running applications.” (Abstract) “Each application has an analyzer, which monitors transmission data that the application is about to transmit to the network or has just received from the network, and which determines an appropriate action to take regarding that data.” (Abstract) However, Malcom does not teach or suggest, alone or in combination with Dutta, a development process or environment, i.e., a development tool or a receiving a request for a web page from the development tool and performing filtering and analysis based on that request as recited in each independent claim. Rather, as with Dutta, to any extent Malcom filters and/or analyzes content, such is performed at and in response to a request from the client.

In response to these arguments, the Office Action maintains that Dutta does in fact teach a development environment as recited in the pending claims. In support of this contention, the Office Action cites the personalized accessibility evaluation provider of Dutta. As noted above, the Applicants contend that the personalized accessibility evaluation provider of Dutta is “an evaluation tool that evaluates requested content for accessibility to users having special needs” (abstract) that “filter[s] content based on the accessibility of the content to a user” (paragraph 6). The Applicants respectfully contend that the personalized accessibility evaluation provider of Dutta cannot reasonably be considered to teach or suggest a development tool as commonly understood and as recited in the pending claims or a development environment performing the processes as recited. For example, the personalized accessibility evaluation provider of Dutta cannot reasonably be considered to teach or suggest a development tool for manipulating content of the web page by a developer, e.g., during testing or development or the web page. Thus, the Applicants respectfully maintain that Dutta and Malcom, alone or in combination, fail to teach or suggest each claim limitation.

Claim 1, upon which claims 2-5, 7, 26, and 27 depend, recites in part “executing with a processor one or more software components, wherein the software components include a developer tool for manipulating content of the web page by a developer, a servlet, an analyzer, and a filter; accessing said web page comprising said content with the servlet in response to a request from the development tool, wherein said content comprises secure content; intercepting the request from the development tool with the filter and processing the web page with the filter prior to encryption of said secure content by the servlet; transferring the content of the web page from the filter to the analyzer; analyzing the content of the web page with the analyzer prior to encryption of said secure content, wherein analyzing the content comprises measuring conformity of the content of the web page with an established standard; returning a result of said analyzing from the analyzer to the servlet; appending the result of said analyzing to the content of said web page with the servlet; and displaying said web page and said result with the browser.” Similarly, claim 9, upon which claims 10-14 and 16 depend, recites in part “receiving a request for said web page from a development tool for manipulating content of the web page

during testing or development of the web page; generating said web page on a server in response to the request, wherein said content comprises secure content; processing the web page using a filter prior to encryption of said secure content; transferring the content of the web page from the filter to an analyzer; analyzing the content of the web page prior to encryption of said secure content, wherein analyzing the content comprises measuring conformity of the content of the web page with an established standard; returning a result of said analyzing to said server; and appending the result of said analyzing to the content of said web page.” Also, claim 17, upon which claims 18-22, 24, and 25 depend recites in part “accessing said web page comprising said content in response to a request from a development tool for manipulating content of the web page by a developer, wherein said content comprises secure content and wherein accessing said web page is preformed during testing or development of the web page; processing the web page using a filter prior to encryption of said secure content; transferring the content of the web page from the filter to an analyzer; analyzing the content of the web page at said analyzer prior to encryption of said secure content, wherein analyzing the content comprises measuring conformity of the content of the web page with an established standard; returning a result of said analyzing to a server; appending the result of said analyzing to the content of said web page; and displaying said web page and said result.” Neither Dutta nor Malcom, alone or on combination, teaches or suggests a development process or environment, i.e., a development tool or a receiving a request for a web page from the development tool and performing filtering and analysis based on that request as recited in each independent claim. Rather, to any extent Dutta and Malcom filter and/or analyzes content, such is performed when rendering a web page and in response to a request from the client. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

35 U.S.C. § 103 Rejection, Dutta in view of Malcom, and further in view of Market

The Office Action has rejected claims 6, 15, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Dutta in view of Malcolm, as applied to claims 1-5, 7, 9-14, 16-22, and 24 above, and further in view of U.S. Patent Pub. No. 2002/0156799 to Markel et al. (hereinafter

“Markel”). The Applicants respectfully traverse the rejection for at least the reason that claims 6, 15, and 23 each depend on allowable base claims as discussed in detail above. For at least these reasons, the Applicants respectfully request that the rejection be withdrawn.

35 U.S.C. § 103 Rejection, Dutta in view of Malcom, and further in view of Berstis

The Office Action has rejected claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Dutta in view of Malcolm, as applied to claims 1-5, 7, 9-14, 16-22, and 24 above, and further in view of U.S. Patent No. 6,510,458 to Berstis et al. (hereinafter “Berstis”). The Applicants respectfully traverse the rejection for at least the reason that claim 25 depends on an allowable base claim as discussed in detail above. For at least these reasons, the Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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